

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES DALTON BELL,

Petitioner,

Civ. No. 11-978-CL

v.

**ORDER**

J.E. THOMAS,

Respondent.

**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983). I conclude that the R and R is correct.

Magistrate Judge Clarke's Report and Recommendation (#19) is adopted. The petition (#1) is denied and the proceeding is dismissed without prejudice.

IT IS SO ORDERED.

DATED this 3 day of February, 2012.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE